

EXHIBIT 3

Tim Pack

From: Tim Pack
Sent: Friday, August 9, 2024 1:37 PM
To: Tim Pack
Subject: FW: Nakamura's responses to discovery

From: Tim Pack
Sent: Tuesday, September 12, 2023 11:13 AM
To: 'Casey O'Neill' <coneill@fenwick.com>; 'Claire Mena' <CMena@fenwick.com>; 'Felix Lee' <FLee@Fenwick.com>
Cc: Aaron Lebenta <ADL@clydesnow.com>; 'Joshua Parr' <JParr@fenwick.com>
Subject: RE: Nakamura's responses to discovery

Casey,

First, do we have an agreement on a March 29, 2024 fact discovery deadline?

Second, I'd like to schedule Nakamura's deposition for early January if possible. If there are other dates more convenient for you and your client let me know. Please confirm that he will attend the deposition in person in Las Vegas. If there is an objection to this, then please give me a few dates next week we can meet and confer on this issue.

Third, given the breadth and volume of your recent document requests, can I receive an extension to October 30, 2023 to submit objections and responses?

Thanks

Timothy R. Pack | ClydeSnow
Direct/Text 801.433.2447

From: Tim Pack
Sent: Thursday, September 7, 2023 9:32 AM
To: 'Casey O'Neill' <coneill@fenwick.com>; Claire Mena <CMena@fenwick.com>; Felix Lee <FLee@Fenwick.com>
Cc: Aaron Lebenta <ADL@clydesnow.com>; Joshua Parr <JParr@fenwick.com>
Subject: RE: Nakamura's responses to discovery

Casey,

First, on fact discovery, the deadline probably depends on when Nakamura can be produced as a witness in Nevada. And if there is going to be resistance to him appearing in Nevada for a deposition, we will need time for the court to resolve that issue. So let me know whether there will be resistance and we can meet and confer and get that process going sooner rather than later. Otherwise, March 29, 2024 sounds like a reasonable deadline to me.

Second, on our RFP 1, we cannot agree that your production will be limited to documents you deem as substantive. We need all the documents because your definition of substantive may not be the same as ours.

Third, we can postpone a motion to compel to the end of September 2023. Given the date of our discovery requests, I think that's a reasonable time to search for and produce documents.

Finally, once we do get responsive documents we can turn towards scheduling a mediation.

Thanks

Timothy R. Pack | ClydeSnow
Direct/Text 801.433.2447

From: Casey O'Neill <coneill@fenwick.com>
Sent: Tuesday, September 5, 2023 4:13 PM
To: Tim Pack <TRP@clydesnow.com>; Claire Mena <CMena@fenwick.com>; Felix Lee <FLee@Fenwick.com>
Cc: Aaron Lebenta <ADL@clydesnow.com>; Joshua Parr <JParr@fenwick.com>
Subject: RE: Nakamura's responses to discovery

Tim,

Subject to the responses and objections we served, we intend to search for and produce responsive materials for your second set of RFPs.

For your first set of RFPs, also subject to our responses and objections:

- RFP 1: We anticipate producing any responsive materials relating to the U.S. Securities and Exchange Commission or Nevada Secretary of State, insofar as communications are substantive.
- RFP 2: We defer for now a decision on reasonable time period, but we are searching for responsive communications.
- RFPs 3-7, 9: We are searching for and anticipate producing responsive communications.
- RFP 11: We will look for responsive material and will let you know if we think there is a point of contention here.

From: Tim Pack <TRP@clydesnow.com>
Sent: Thursday, August 31, 2023 11:11 AM
To: Casey O'Neill <coneill@fenwick.com>; Claire Mena <CMena@fenwick.com>; Felix Lee <FLee@Fenwick.com>
Cc: Aaron Lebenta <ADL@clydesnow.com>; Joshua Parr <JParr@fenwick.com>
Subject: RE: Nakamura's responses to discovery

**** EXTERNAL EMAIL ****

Great, thanks

Timothy R. Pack | ClydeSnow
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